

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT CHARLOTTESVILLE, VA

FILED

NOV 16 2005

JOHN F. CORCORAN, CLERK  
BY: *[Signature]* DEPUTY CLERK

BARBARA C. FREEMAN,

Plaintiff

) CASE NO. 5:04CV00096

)

v.

) REPORT AND RECOMMENDATION

JO ANNE B. BARNHART  
Commissioner of Social Security,

Defendant

) By: B. Waugh Crigler  
U. S. Magistrate Judge

)

The Commissioner having advised the court that she has no objection to an award of attorney fees to Kevin J. Sullivan, Esq. in the amount of Three Hundred Thirty Seven Dollars (\$337.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). Therefore, it is hereby

R E C O M M E N D E D

that an Order enter awarding counsel for plaintiff, Kevin J. Sullivan, Esq. the sum of Three Hundred Thirty Seven Dollars (\$337.00) in fees under the EAJA, 28 U.S.C. § 2412(d).

The Clerk is directed to immediately transmit the record in this case to the presiding United States District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within (10) days hereof. Any adjudication of fact or conclusion of law rendered herein by the

undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED:

  
Judge

11/16/05  
Date